

ORDER

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

8050.4

11/21/84

SUBJ: MISUSE OF AIRCRAFT IDENTIFICATION PLATES

1. PURPOSE. This order advises Federal Aviation Administration (FAA) personnel to be on the alert for any misuse of aircraft identification (ID) plates, and describes those actions which should be taken when such findings are made.

2. DISTRIBUTION. This order is distributed to the branch level in the Offices of Airworthiness, Flight Operations, Aviation Safety, and the Aviation Standards National Field Office; to the Airworthiness Section at the FAA Academy; to the branch level in the Flight Standards Divisions; to the section level in the Aircraft Certification Divisions; to all Aircraft Certification Offices, Aircraft Certification Field Offices, and Manufacturing Inspection District/Satellite Offices; to all General Aviation, Air Carrier, and Flight Standards District Offices; to all International Field Offices, International Aviation and Aeronautical Quality Assurance Field Offices; and to all Aircraft Evaluation Groups.

3. BACKGROUND.

a. FAR Part 45 was amended effective September 4, 1979, (Amendment 45-10) to explicitly prohibit any person from removing, changing, or placing information on aircraft, aircraft engine, or propeller ID plates required by FAR Section 45.11, and from installing or removing such ID plates without the approval of the Administrator. This amendment was in large part precipitated by the then existing practice of building an aircraft and identifying it with the ID plate from a scrapped or destroyed aircraft. It was intended that this rule change would serve as an effective enforcement tool which would discourage the misuse of ID plates. However, in view of recent reports of continued misuse, it appears that this tool has not been employed in an effective manner.

b. There have also been a number of advertisements in aviation oriented periodicals offering aircraft ID plates for sale, or indicating the need for certain ID plates. Although this is a matter of concern to the FAA, we have taken no action relative to this activity since the regulations do not provide a basis for enforcement action against those individuals seeking or offering ID plates for sale. In these instances, the FAA takes the position that the purchasers of such ID plates would be in violation of FAR Section 45.13(c) and/or (e) if they were to affix the plates on aircraft without the approval of the FAA.

4. DISCUSSION. Specific approval of the Administrator is not required for persons performing work under FAR Part 43 in accordance with methods, techniques, and practices acceptable to the Administrator. These persons may remove an ID plate during certain maintenance operations such as caustic cleaning, paint removal, sandblasting, etc., when such work is being performed on the structure to which an ID plate is fastened. In all such instances,

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under FAR Section 45.13(e), the ID plate which was removed during maintenance operations must be reinstalled on the product from which it was removed. Under no circumstances may a person performing work under FAR Part 43 be permitted to install an ID plate that has been purchased or salvaged from another aircraft. Advisory Circular (AC) 43-17, Methods, Techniques, and Practices Acceptable to the Administrator Governing the Installation, Removal, or Change of Identification Data and Identification Plates, provides additional guidance on this subject.

5. ACTION. The following actions should be taken by all FAA field offices:

a. Be on the alert, during routine visits or surveillance activity, for any indications of ID plate misuse or suspicious activity, such as the building of a complete aircraft by a person performing work under the provisions of FAR Part 43. In such instances the inspector should followup, as appropriate, to determine whether or not a violation is taking place.

b. Initiate enforcement action promptly whenever a finding of ID plate misuse has been made.

c. Place special emphasis in those areas where the repair/restoration of an aircraft is so extensive that it essentially constitutes the building of an aircraft. It is in those instances that an ID plate may have been purchased through a periodical advertisement or salvaged from a totally destroyed aircraft, and then affixed on the "repaired/restored" aircraft. This practice is a violation of FAR Section 45.13(c) and/or (e) and should be strictly enforced in these cases.

d. Advise manufacturers or persons performing work under the provisions of FAR Part 43, during routine visits or surveillance activity, that they should not attempt to repair or restore any aircraft which has been determined by the FAA or National Transportation Safety Board (NTSB) to have lost its identity as an aircraft due to extensive or extreme damage. Such aircraft would be classified by the FAA or NTSB as destroyed or demolished. Therefore any attempt to affix an ID plate on such a "nonexistent" aircraft that had been "repaired/restored" would be illegal under FAR Section 45.13(c) and/or (e), as applicable.

e. Prior to the issuance of any standard airworthiness certificate for an aircraft which appears to be a "repair or restoration" of an aircraft which had previously been destroyed or demolished, the inspector should telephonically seek the assistance of the Manager, National Safety Data Branch, AVN-120, Regulatory Support Division, Aviation Standards National Field Office, FTS 749-4171. That office can assist in determining if the serial number of the aircraft on which certification is sought is the serial number of an aircraft which had previously been classified as destroyed or demolished by the FAA or NTSB. If that is found to be the case, the inspector should initiate an investigation to determine if a violation of FAR Section 45.13(c) and/or (e) has occurred before the airworthiness certificate is issued. If a violation of FAR Section 45.13(c) and/or (e) is found, the airworthiness certificate should be denied and enforcement action should be initiated.

f. The foregoing does not apply to those aircraft which may be authorized to be built from a conglomeration of spare and surplus parts in accordance with the provisions of AC 21-13, Standard Airworthiness Certification of Surplus Military Aircraft and Aircraft Built from Spare and Surplus Parts. In these instances, upon a satisfactory showing of conformity to the type design and condition for safe operation, the FAA will authorize the builder to make a new ID plate for the particular aircraft prior to the issuance of the airworthiness certificate.

A handwritten signature in dark ink, appearing to read 'M. C. Beard', with a stylized, flowing script.

M. C. Beard
Director of Airworthiness